IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 22 of 2007

IN

Appeal from Order No.826 of 2007

IN

Notice of Motion No.2572 of 2007

In

L.C.Suit No.2531 of 2007

Mr.Yvonne Deennis and Ors. .. Petitioners

V/s

Bhausaheb J. Patil and Ors. .. Respondents

Mr.Y.V.Divekar i/b M/s Divekar and Co. for the Petitioners

Shri S.K.Mali for the Respondents

CORAM:S.R.SATHE,J.

DATED;29th Nov. 2007

P.C.:-

1. Heard both the learned Advocates.

2. The learned Advocate for the Petitioners submitted that in the impugned order it is mentioned that the Petitioners intend to demolish Unit Nos 1 and 2 but

actually Petitioners' case is that they intend to demolish only Unit no.1. So, it is necessary to review the order. According to him, this may change the fate of the order. The learned Advocate for the Respondent also submits that the Petitioners have stated that they intend to demolish Unit No.1. So, it does appear that it is wrongly mentioned in the impugned order that Petitioners intend to demolish Unit Nos.1 and 2. So, it is necessary to correct the said error and delete the word "2" appearing in paragraph no.7, 4th line and paragraph no.9.

3. However, that will not change the fate of this matter because even if Petitioners intend to demolish Unit no.1 still it has to be held that there is danger to the premises of the Respondent. So, there is no need to review the order, but only the figure "2" be deleted as mentioned above.

4. Petitioners have not pointed out that there is any other error on the face of the record. No case is made out for review. Hence the application is disposed of in the above terms.

5. Parties to act on authenticated copy of this order.

(S.R.SATHE,J.)